

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2365 - SB 2311**

March 13, 2016

**SUMMARY OF BILL:** Requires, when neither the seller nor the purchaser of a firearm is a licensed gun dealer, the transaction to be completed through a licensed gun dealer and the dealer to perform the same background check required for purchases from licensed gun dealers.

Exempts certain transfers or persons including: (1) a transfer between immediate family members that is a bona fide gift; (2) the sale or transfer of an antique firearm; (3) a temporary transfer of possession of a firearm if the transfer is necessary to prevent imminent death or serious bodily harm to the person to whom the firearm is transferred; (4) a federally licensed gunsmith who receives a firearm solely for the purposes of service or repair; and (5) a person who acquired a firearm other than a handgun by operation of law upon the death of the former owner of the firearm.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – Exceeds \$10,000/TBI**

**Increase State Expenditures – Exceeds \$10,000/TBI**

Assumptions:

- It is not known how many private firearm sales occur in Tennessee each year.
- Pursuant to Tenn. Code Ann. § 39-17-1316 (e)(1), the fee for a Tennessee Bureau of Investigation (TBI) background check for a firearm purchase through a licensed dealer is \$10.00.
- It is reasonably estimated that the provisions of the bill will increase number of background checks by a minimum of 1,000 each year.
- The estimated recurring increase in TBI revenue exceeds \$10,000 (\$10.00 x 1,000).
- This fee is charged by TBI to cover the costs incurred to conduct the background check; therefore, any increase in expenditures is estimated to exceed \$10,000.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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